



1 consideration by a restaurant to the restaurant's employee during the employee's
2 work hours.

3 ***-0303/4.118* SECTION 1603.** 77.54 (21) of the statutes is amended to read:

4 77.54 (21) The ~~gross receipts~~ sales price from the sales of and the storage, use
5 or other consumption of caskets and burial vaults for human remains.

6 ***-0303/4.119* SECTION 1604.** 77.54 (22) of the statutes is repealed.

7 ***-0303/4.120* SECTION 1605.** 77.54 (22b) of the statutes is created to read:

8 77.54 (22b) The sales price from the sale of and the storage, use, or other
9 consumption of durable medical equipment that is for use in a person's home,
10 mobility-enhancing equipment, and prosthetic devices, and accessories for such
11 equipment or devices, if the equipment or devices are used for a human being.

12 ***-0303/4.121* SECTION 1606.** 77.54 (23m) of the statutes is amended to read:

13 77.54 (23m) The ~~gross receipts~~ sales price from the sale, lease or rental of or
14 the storage, use or other consumption of motion picture film or tape, and advertising
15 materials related thereto, sold, leased or rented to a motion picture theater or radio
16 or television station.

17 ***-0303/4.122* SECTION 1607.** 77.54 (25) of the statutes is amended to read:

18 77.54 (25) The ~~gross receipts~~ sales price from the sale of and the storage of
19 printed material which is designed to advertise and promote the sale of merchandise,
20 or to advertise the services of individual business firms, which printed material is
21 purchased and stored for the purpose of subsequently transporting it outside the
22 state by the purchaser for use thereafter solely outside the state.

23 ***-0303/4.123* SECTION 1608.** 77.54 (26) of the statutes is amended to read:

24 77.54 (26) The ~~gross receipts~~ sales price from the sales of and the storage, use,
25 or other consumption of tangible personal property which becomes a component part

1 of an industrial waste treatment facility that is exempt under s. 70.11 (21) (a) or that
2 would be exempt under s. 70.11 (21) (a) if the property were taxable under ch. 70, or
3 tangible personal property which becomes a component part of a waste treatment
4 facility of this state or any agency thereof, or any political subdivision of the state or
5 agency thereof as provided in s. 40.02 (28). The exemption includes replacement
6 parts therefor, and also applies to chemicals and supplies used or consumed in
7 operating a waste treatment facility and to purchases of tangible personal property
8 made by construction contractors who transfer such property to their customers in
9 fulfillment of a real property construction activity. This exemption does not apply
10 to tangible personal property installed in fulfillment of a written construction
11 contract entered into, or a formal written bid made, prior to July 31, 1975.

12 ***-0303/4.124* SECTION 1609.** 77.54 (26m) of the statutes is amended to read:

13 77.54 (26m) The ~~gross receipts~~ sales price from the sale of and the storage, use
14 or other consumption of waste reduction or recycling machinery and equipment,
15 including parts therefor, exclusively and directly used for waste reduction or
16 recycling activities which reduce the amount of solid waste generated, reuse solid
17 waste, recycle solid waste, compost solid waste or recover energy from solid waste.
18 The exemption applies even though an economically useful end product results from
19 the use of the machinery and equipment. For the purposes of this subsection, "solid
20 waste" means garbage, refuse, sludge or other materials or articles, whether these
21 materials or articles are discarded or purchased, including solid, semisolid, liquid or
22 contained gaseous materials or articles resulting from industrial, commercial,
23 mining or agricultural operations or from domestic use or from public service
24 activities.

25 ***-0303/4.125* SECTION 1610.** 77.54 (27) of the statutes is amended to read:

1 77.54 (27) The ~~gross receipts~~ sales price from the sale of semen used for
2 artificial insemination of livestock.

3 *–0303/4.126* **SECTION 1611.** 77.54 (28) of the statutes is amended to read:

4 77.54 (28) The gross receipts from the sale of and the storage, use or other
5 consumption to or by the ultimate consumer of ~~apparatus or equipment for the~~
6 ~~injection of insulin or the treatment of diabetes~~ and supplies used to determine blood
7 sugar level.

8 *–0303/4.127* **SECTION 1612.** 77.54 (29) of the statutes is amended to read:

9 77.54 (29) The ~~gross receipts~~ sales price from the sales of and the storage, use
10 or other consumption of equipment used in the production of maple syrup.

11 *–0303/4.128* **SECTION 1613.** 77.54 (30) (a) (intro.) of the statutes is amended
12 to read:

13 77.54 (30) (a) (intro.) The ~~gross receipts~~ sales price from the sale of:

14 *–0303/4.129* **SECTION 1614.** 77.54 (30) (c) of the statutes is amended to read:

15 77.54 (30) (c) If fuel or electricity is sold partly for a use exempt under this
16 subsection and partly for a use which is not exempt under this subsection, no tax
17 shall be collected on that percentage of the ~~gross receipts~~ sales price equal to the
18 percentage of the fuel or electricity which is used for an exempt use, as specified in
19 an exemption certificate provided by the purchaser to the seller.

20 *–0303/4.130* **SECTION 1615.** 77.54 (31) of the statutes is amended to read:

21 77.54 (31) The ~~gross receipts~~ sales price from the sale of and the storage, use
22 or other consumption in this state, but not the lease or rental, of used mobile homes
23 that are primary housing units under s. 340.01 (29).

24 *–0303/4.131* **SECTION 1616.** 77.54 (32) of the statutes is amended to read:

1 77.54 (32) The ~~gross receipts~~ sales price from charges, including charges for a
2 search, imposed by an authority, as defined in s. 19.32 (1), for copies of a public record
3 that a person may examine and use under s. 16.61 (12) or for copies of a record under
4 s. 19.35 (1).

5 *-0303/4.132* SECTION 1617. 77.54 (33) of the statutes is amended to read:

6 77.54 (33) The ~~gross receipts~~ sales price from sales of and the storage, use or
7 other consumption of ~~medicines~~ drugs used on farm livestock, not including
8 workstock.

9 *-0303/4.133* SECTION 1618. 77.54 (34) of the statutes is amended to read:

10 77.54 (34) The ~~gross receipts~~ sales price from the sale of and the storage, use
11 or other consumption of milk house supplies used exclusively in producing and
12 handling milk on dairy farms.

13 *-0303/4.134* SECTION 1619. 77.54 (35) of the statutes is amended to read:

14 77.54 (35) The ~~gross receipts~~ sales price from the sales of tangible personal
15 property, tickets or admissions by any baseball team affiliated with the Wisconsin
16 Department of American Legion baseball.

17 *-0303/4.135* SECTION 1620. 77.54 (36) of the statutes is amended to read:

18 77.54 (36) The ~~gross receipts~~ sales price from the rental for a continuous period
19 of one month or more of a mobile home, as defined in s. 66.0435 (1) (d), that is used
20 as a residence. In this subsection, “one month” means a calendar month or 30 days,
21 whichever is less, counting the first day of the rental and not counting the last day
22 of the rental.

23 *-0303/4.136* SECTION 1621. 77.54 (37) of the statutes is amended to read:

24 77.54 (37) The ~~gross receipts~~ sales price from revenues collected under s.
25 146.70 (3) and the surcharge established by rule by the public service commission

1 under s. 146.70 (3m) (f) for customers of wireless providers, as defined in s. 146.70
2 (3m) (a) 6.

3 ***-0303/4.137* SECTION 1622.** 77.54 (38) of the statutes is amended to read:

4 77.54 (38) The ~~gross receipts~~ sales price from the sale of and the storage, use
5 or other consumption of snowmobile trail groomers and attachments for them that
6 are purchased, stored, used or consumed by a snowmobile club that meets at least
7 3 times a year, that has at least 10 members, that promotes snowmobiling and that
8 participates in the department of natural resources' snowmobile program under s.
9 350.12 (4) (b).

10 ***-0303/4.138* SECTION 1623.** 77.54 (39) of the statutes is amended to read:

11 77.54 (39) The ~~gross receipts~~ sales price from the sale of and the storage, use
12 or other consumption of off-highway, heavy mechanical equipment such as feller
13 bunchers, slashers, delimbers, chippers, hydraulic loaders, loaders,
14 skidder-forwarders, skidders, timber wagons and tractors used exclusively and
15 directly in the harvesting or processing of raw timber products in the field by a person
16 in the logging business. In this subsection, "heavy mechanical equipment" does not
17 include hand tools such as axes, chains, chain saws and wedges.

18 ***-0303/4.139* SECTION 1624.** 77.54 (40) of the statutes is repealed.

19 ***-0303/4.140* SECTION 1625.** 77.54 (41) of the statutes is amended to read:

20 77.54 (41) The ~~gross receipts~~ sales price from the sale of building materials,
21 supplies and equipment to; and the storage, use or other consumption of those kinds
22 of property by; owners, contractors, subcontractors or builders if that property is
23 acquired solely for or used solely in, the construction, renovation or development of
24 property that would be exempt under s. 70.11 (36).

25 ***-0303/4.141* SECTION 1626.** 77.54 (42) of the statutes is amended to read:

1 77.54 (42) The ~~gross receipts~~ sales price from the sale of and the storage, use
2 or other consumption of animal identification tags provided under s. 93.06 (1h) and
3 standard samples provided under s. 93.06 (1s).

4 ***-0303/4.142* SECTION 1627.** 77.54 (43) of the statutes is amended to read:

5 77.54 (43) The ~~gross receipts~~ sales price from the sale of and the storage, use
6 or other consumption of raw materials used for the processing, fabricating or
7 manufacturing of, or the attaching to or incorporating into, printed materials that
8 are transported and used solely outside this state.

9 ***-0303/4.143* SECTION 1628.** 77.54 (44) of the statutes is amended to read:

10 77.54 (44) The ~~gross receipts~~ sales price from the collection of public benefits
11 fees that are charged under s. 16.957 (4) (a) or (5) (a).

12 ***-0303/4.144* SECTION 1629.** 77.54 (45) of the statutes is amended to read:

13 77.54 (45) The ~~gross receipts~~ sales price from the sale of and the use or other
14 consumption of a onetime license or similar right to purchase admission to
15 professional football games at a football stadium, as defined in s. 229.821 (6), that
16 is granted by a municipality; a local professional football stadium district; or a
17 professional football team or related party, as defined in s. 229.821 (12); if the person
18 who buys the license or right is entitled, at the time the license or right is transferred
19 to the person, to purchase admission to at least 3 professional football games in this
20 state during one football season.

21 ***-0303/4.145* SECTION 1630.** 77.54 (46) of the statutes is amended to read:

22 77.54 (46) The ~~gross receipts~~ sales price from the sale of and the storage, use,
23 or other consumption of the U.S. flag or the state flag. This subsection does not apply
24 to a representation of the U.S. flag or the state flag.

25 ***-0303/4.146* SECTION 1631.** 77.54 (46m) of the statutes is amended to read:

1 77.54 (46m) The gross receipts sales price from the sale of and the storage, use,
2 or other consumption of telecommunications services, if the telecommunications
3 services are obtained by using the rights to purchase telecommunications services,
4 including purchasing reauthorization numbers, by paying in advance and by using
5 an access number and authorization code; and if the tax imposed under s. 77.52 or
6 77.53 was previously paid on the sale or purchase of such rights.

7 *-1796/3.15* SECTION 1632. 77.54 (48) of the statutes is created to read:

8 77.54 (48) The gross receipts from the sale of and the storage, use, or other
9 consumption of audiovisual works, finished artwork, literary works, and audio
10 works that are delivered electronically to the purchaser, if the sale of and the storage,
11 use, or other consumption of such items sold in a tangible form is exempt from
12 taxation under this subchapter.

13 *-0303/4.147* SECTION 1633. 77.55 (1) (intro.) of the statutes is amended to
14 read:

15 77.55 (1) (intro.) There are is exempted from the computation of the amount
16 of the sales tax the gross receipts sales price from the sale of any tangible personal
17 property or services to:

18 *-0303/4.148* SECTION 1634. 77.55 (2) of the statutes is amended to read:

19 77.55 (2) There are is exempted from the computation of the amount of the sales
20 tax the gross receipts sales price from sales of tangible personal property to a
21 common or contract carrier, shipped by the seller via the purchasing carrier under
22 a bill of lading whether the freight is paid in advance, or the shipment is made freight
23 charges collect, to a point outside this state and the property is actually transported
24 to the out-of-state destination for use by the carrier in the conduct of its business
25 as a carrier.

1 ***-0303/4.149*** SECTION 1635. 77.55 (2m) of the statutes is amended to read:

2 77.55 (2m) There ~~are~~ is exempted from the computation of the amount of sales
3 tax the ~~gross receipts~~ sales price from sales of railroad crossties to a common or
4 contract carrier, shipped wholly or in part by way of the purchasing carrier under a
5 bill of lading, whether the freight is paid in advance or the shipment is made freight
6 charges collect, to a point outside this state if the property is transported to the
7 out-of-state destination for use by the carrier in the conduct of its business as a
8 carrier. Interruption of the shipment for storage, drying, processing or creosoting of
9 the railroad crossties in this state does not invalidate the exemption under this
10 subsection.

11 ***-0303/4.150*** SECTION 1636. 77.55 (3) of the statutes is amended to read:

12 77.55 (3) There ~~are~~ is exempted from the computation of the amount of the sales
13 tax the ~~gross receipts~~ sales price from sales of tangible personal property purchased
14 for use solely outside this state and delivered to a forwarding agent, export packer,
15 or other person engaged in the business of preparing goods for export or arranging
16 for their exportation, and actually delivered to a port outside the continental limits
17 of the United States prior to making any use thereof.

18 ***-0303/4.151*** SECTION 1637. 77.56 (1) of the statutes is amended to read:

19 77.56 (1) The storage, use or other consumption in this state of property, the
20 ~~gross receipts~~ sales price from the sale of which ~~are~~ is reported to the department in
21 the measure of the sales tax, is exempted from the use tax.

22 ***-0303/4.152*** SECTION 1638. 77.57 of the statutes is amended to read:

23 **77.57 Liability of purchaser.** If a purchaser certifies in writing to a seller
24 that the property purchased will be used in a manner or for a purpose entitling the
25 seller to regard the ~~gross receipts~~ sales price from the sale as exempted by this

1 subchapter from the computation of the amount of the sales tax and uses the property
2 in some other manner or for some other purpose, the purchaser is liable for payment
3 of the sales tax. The tax shall be measured by the sales price of the property to the
4 purchaser, but if the taxable use first occurs more than 6 months after the sale to the
5 purchaser, the purchaser may use as the measure of the tax either that sales price
6 or the fair market value of the property at the time the taxable use first occurs.

7 ***-0303/4.153* SECTION 1639.** 77.58 (3) (b) of the statutes is amended to read:

8 77.58 (3) (b) ~~For purposes of the sales tax the return shall show the gross~~
9 ~~receipts of the seller during the preceding reporting period. For purposes of the use~~
10 ~~tax, in case of a return filed by a retailer, the return shall show the total sales price~~
11 ~~of the property or taxable services sold, the storage, use or consumption of which~~
12 ~~became subject to the use tax during the preceding reporting period. In case of a sales~~
13 ~~or use tax return filed by a purchaser, the return shall show the total sales price of~~
14 ~~the property and taxable services purchased, the storage, use or consumption of~~
15 ~~which became subject to the use tax during the preceding reporting period. The~~
16 ~~return shall also show the amount of the taxes for the period covered by the return~~
17 ~~and such other information as the department deems necessary for the proper~~
18 ~~administration of this subchapter.~~

19 ***-0303/4.154* SECTION 1640.** 77.58 (6) of the statutes is amended to read:

20 77.58 (6) For the purposes of the sales tax ~~gross receipts, the sales price~~ from
21 rentals or leases of tangible personal property shall be reported and the tax paid in
22 accordance with such rules as the department prescribes.

23 ***-0303/4.155* SECTION 1641.** 77.58 (6m) of the statutes is created to read:

1 77.58 (6m) (a) The department may, in cases where it is satisfied that an undue
2 hardship would otherwise result, permit the reporting of a sales price or purchase
3 price on some basis other than the accrual basis.

4 (b) The entire sales price of credit transactions shall be reported in the period
5 in which the sale is made without reduction in the amount of tax payable by the
6 retailer by reason of the retailer's transfer at a discount the open account, note,
7 conditional sales contract, lease contract, or other evidence of indebtedness.

8 *–0303/4.156* SECTION 1642. 77.58 (9a) of the statutes is created to read:

9 77.58 (9a) In addition to filing a return as provided in this section, a person
10 described under s. 77.524 (3), (4), or (5) shall provide to the department any
11 information that the department considers necessary for the administration of this
12 subchapter, in the manner prescribed by the department, except that the
13 department may not require that the person provide such information to the
14 department more than once every 180 days.

15 *–0303/4.157* SECTION 1643. 77.585 of the statutes is created to read:

16 **77.585 Return adjustments.** (1) (a) In this subsection, "bad debt" means the
17 portion of the sales price or purchase price that the seller has reported as taxable
18 under this subchapter and that the seller may claim as a deduction under section 166
19 of the Internal Revenue Code. "Bad debt" does not include financing charges or
20 interest, sales or use taxes imposed on the sales price or purchase price, uncollectible
21 amounts on property that remains in the seller's possession until the full sales price
22 or purchase price is paid, expenses incurred in attempting to collect any debt, debts
23 sold or assigned to 3rd parties for collection, and repossessed property.

24 (b) A seller may claim as a deduction on a return under s. 77.58 the amount of
25 any bad debt that the seller writes off as uncollectible in the seller's books and records

1 and that is eligible to be deducted as bad debt for federal income tax purposes,
2 regardless of whether the seller is required to file a federal income tax return. A
3 seller who claims a deduction under this paragraph shall claim the deduction on the
4 return under s. 77.58 that is submitted for the period in which the seller writes off
5 the amount of the deduction as uncollectible in the seller's books and records and in
6 which such amount is eligible to be deducted as bad debt for federal income tax
7 purposes. If the seller subsequently collects in whole or in part any bad debt for
8 which a deduction is claimed under this paragraph, the seller shall include the
9 amount collected in the return filed for the period in which the amount is collected
10 and shall pay the tax with the return.

11 (c) For purposes of computing a bad debt deduction or reporting a payment
12 received on a previously claimed bad debt, any payment made on a debt or on an
13 account is applied first to the price of the property or service sold, and the
14 proportionate share of the sales tax on that property or service, and then to interest,
15 service charges, and other charges related to the sale.

16 (d) A seller may obtain a refund of the tax collected on any bad debt amount
17 deducted under par. (b) that exceeds the amount of the seller's taxable sales as
18 provided under s. 77.59 (4), except that the period for making a claim as determined
19 under s. 77.59 (4) begins on the date on which the return on which the bad debt could
20 be claimed would have been required to be submitted to the department under s.
21 77.58.

22 (e) If a seller is using a certified service provider, the certified service provider
23 may claim a bad debt deduction under this subsection on the seller's behalf if the
24 seller has not claimed and will not claim the same deduction. A certified service
25 provider who receives a bad debt deduction under this subsection shall credit that

1 deduction to the seller and a certified service provider who receives a refund under
2 this subsection shall submit that refund to the seller.

3 (f) If a bad debt relates to the retail sales of tangible personal property or
4 taxable services that occurred in this state and in one or more other states, as
5 determined under s. 77.522, the total amount of such bad debt shall be apportioned
6 among the states in which the underlying sales occurred in a manner prescribed by
7 the department to arrive at the amount of the deduction under par. (b).

8 (2) If a lessor of tangible personal property has reimbursed the vendor for the
9 sales tax on the sale of the property by the vendor to the lessor, the tax due from the
10 lessor on the rental receipts may be offset by a credit equal to the tax otherwise due
11 on the rental receipts from the property for the reporting period. The credit shall
12 expire when the cumulative rental receipts equal the sales price upon which the
13 vendor paid sales taxes to this state.

14 (3) If a purchaser of tangible personal property has reimbursed the vendor of
15 the property for the sales tax on the sale and subsequently, before making any use
16 of the property other than retention, demonstration, or display while holding it for
17 sale or rental, makes a taxable sale of the property, the tax due on the taxable sale
18 may be offset by the tax reimbursed.

19 (4) A seller may claim a deduction on any part of the sales price or purchase
20 price that the seller refunds in cash or credit as a result of returned property or
21 adjustments in the sales price or purchase price after the sale has been completed,
22 if the seller has included the refunded price in a prior return made by the seller and
23 has paid the tax on such price, and if the seller has returned to the purchaser in cash
24 or in credit all tax previously paid by the purchaser on the amount of the refund at

1 the time of the purchase. A deduction under this subsection shall be claimed on the
2 return for the period in which the refund is paid.

3 (5) No reduction in the amount of tax payable by the retailer is allowable in the
4 event property sold on credit is repossessed except where the entire consideration
5 paid by the purchaser is refunded to the purchaser or where a credit for a worthless
6 account is allowable under sub. (1).

7 (6) A purchaser who is subject to the use tax on the storage, use, or other
8 consumption of fuel may claim a deduction from the purchase price that is subject
9 to the use tax for fuel taxes refunded by this state or the United States to the
10 purchaser that is included in the purchase price of the fuel.

11 (7) For sales tax purposes, if a retailer establishes to the department's
12 satisfaction that the sales tax has been added to the total amount of the sales price
13 and has not been absorbed by the retailer, the total amount of the sales price shall
14 be the amount received exclusive of the sales tax imposed.

15 (8) A sale or purchase involving transfer of ownership of property is completed
16 at the time when possession is transferred by the seller or the seller's agent to the
17 purchaser or the purchaser's agent, except that for purposes of sub. (1) a common
18 carrier or the U.S. postal service shall be considered the agent of the seller, regardless
19 of any f.o.b. point and regardless of the method by which freight or postage is paid.

20 ***-0303/4.158* SECTION 1644.** 77.59 (2m) of the statutes is created to read:

21 77.59 (2m) The department may audit, or may authorize others to audit, sellers
22 and certified service providers who are registered with the department pursuant to
23 the agreement, as defined in s. 77.65 (2) (a).

24 ***-0303/4.159* SECTION 1645.** 77.59 (9) of the statutes is amended to read:

1 77.59 (9) If any person fails to file a return, the department shall make an
2 estimate of the amount of the ~~gross receipts~~ sales price of the ~~person~~ person's sales,
3 or, as the case may be, of the amount of the total sales purchase price of tangible
4 personal property or taxable service sold or purchased by the person, the sale by or
5 the storage, use or other consumption of which in this state is subject to sales or use
6 tax. The estimate shall be made for the period in respect to which the person failed
7 to make a return and shall be based upon any information which is in the
8 department's possession or may come into its possession. Upon the basis of this
9 estimate the department shall compute and determine the amount required to be
10 paid to the state, adding to the sum thus arrived at a penalty equal to 25% thereof.
11 One or more such determinations may be made for one or for more than one period.
12 When a business is discontinued a determination may be made at any time
13 thereafter, within the periods specified in sub. (3), as to liability arising out of that
14 business.

15 ***-0303/4.160*** SECTION 1646. 77.59 (9n) of the statutes is created to read:

16 77.59 (9n) No seller or certified service provider is liable for any deficiency or
17 refund under this subchapter that is the result of the seller or certified service
18 provider relying on erroneous information contained in a database maintained
19 under s. 73.03 (61) (e) or (f).

20 ***-0303/4.161*** SECTION 1647. 77.59 (9p) (b) of the statutes is created to read:

21 77.59 (9p) (b) If a customer purchases a service that is not subject to 4 USC 116
22 to 126, as amended by P.L. 106-252, or tangible personal property, and if the
23 customer believes that the amount of the tax assessed for the sale of the service or
24 property under this subchapter is erroneous, the customer may request that the
25 seller correct the alleged error by sending a written notice to the seller. The notice

1 shall include a description of the alleged error and any other information that the
2 seller reasonably requires to process the request. Within 60 days from the date that
3 a seller receives a request under this paragraph, the seller shall review its records
4 to determine the validity of the customer's claim. If the review indicates that there
5 is no error as alleged, the seller shall explain the findings of the review in writing to
6 the customer. If the review indicates that there is an error as alleged, the seller shall
7 correct the error and shall refund the amount of any tax collected erroneously, along
8 with the related interest, as a result of the error from the customer, consistent with
9 s. 77.59 (4). A customer may take no other action, or commence any action, to correct
10 an alleged error in the amount of the tax assessed under this subchapter on a service
11 that is not subject to 4 USC 116 to 126, as amended by P.L. 106-252, or tangible
12 personal property, unless the customer has exhausted his or her remedies under this
13 paragraph.

14 ***-0303/4.162* SECTION 1648.** 77.59 (9r) of the statutes is created to read:

15 77.59 (9r) With regard to a purchaser's request for a refund under this section,
16 a seller is presumed to have reasonable business practices if the seller uses a certified
17 service provider, a certified automated system, as defined in s. 77.524 (1) (am), or a
18 proprietary system certified by the department to collect the taxes imposed under
19 this subchapter and if the seller has remitted to the department all taxes collected
20 under this subchapter, less any deductions, credits, or allowances.

21 ***-0303/4.163* SECTION 1649.** 77.60 (13) of the statutes is created to read:

22 77.60 (13) A person who uses any of the following documents in a manner that
23 is prohibited by or inconsistent with this subchapter, or provides incorrect
24 information to a seller or certified service provider related to the use of such
25 documents or regarding an exemption to the taxes imposed under this subchapter,

1 shall pay a penalty of \$250 for each invoice or bill of sale related to the prohibited or
2 inconsistent use or incorrect information:

3 (a) An exemption certificate described under ss. 77.52 (13) and 77.53 (10).

4 (b) A direct pay permit under s. 77.52 (17m).

5 (c) A direct mail form, as defined in s. 77.522 (1) (a) 1.

6 (d) A multiple-points-of-use exemption form, as defined in s. 77.522 (1) (a) 2.

7 ***-0303/4.164* SECTION 1650.** 77.61 (1) (b) of the statutes is amended to read:

8 77.61 (1) (b) In the case of ~~a motor vehicle~~ motor vehicles, boats, snowmobiles,
9 mobile homes not exceeding 45 feet in length, trailers, semitrailers, all-terrain
10 vehicles, or aircraft purchased from a ~~licensed Wisconsin motor vehicle dealer~~
11 retailer, the registrant shall present proof that the tax has been paid to such ~~dealer~~
12 retailer.

13 ***-0303/4.165* SECTION 1651.** 77.61 (1) (c) of the statutes is amended to read:

14 77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, mobile homes
15 not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles or aircraft
16 registered or titled, or required to be registered or titled, in this state purchased from
17 persons who are not ~~Wisconsin boat, trailer or semitrailer dealers, licensed~~
18 ~~Wisconsin aircraft, motor vehicle or mobile home dealers or registered Wisconsin~~
19 ~~snowmobile or all-terrain vehicle dealers~~ retailers, the purchaser shall file a sales
20 tax return and pay the tax prior to registering or titling the motor vehicle, boat,
21 snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer,
22 all-terrain vehicle or aircraft in this state.

23 ***-0303/4.166* SECTION 1652.** 77.61 (2) of the statutes is renumbered 77.61 (2)
24 (intro.) and amended to read:

25 77.61 (2) (intro.) In order to protect the revenue of the state:

1 (a) Except as provided in par. (b), the department may require any person who
2 is or will be liable to it for the tax imposed by this subchapter to place with it, before
3 or after a permit is issued, the security, not in excess of \$15,000, that the department
4 determines. In determining the amount of security to require under this subsection,
5 the department may consider the person's payment of other taxes administered by
6 the department and any other relevant facts. If any taxpayer fails or refuses to place
7 that security, the department may refuse or revoke the permit. If any taxpayer is
8 delinquent in the payment of the taxes imposed by this subchapter, the department
9 may, upon 10 days' notice, recover the taxes, interest, costs and penalties from the
10 security placed with the department by the taxpayer in the following order: costs,
11 penalties, delinquent interest, delinquent tax. No interest may be paid or allowed
12 by the state to any person for the deposit of security. Any security deposited under
13 this subsection shall be returned to the taxpayer if the taxpayer has, for 24
14 consecutive months, complied with all the requirements of this subchapter.

15 *–0303/4.167* SECTION 1653. 77.61 (2) (b) of the statutes is created to read:

16 77.61 (2) (b) A certified service provider who has contracted with a seller, and
17 filed an application, to collect and remit sales and use taxes imposed under this
18 subchapter on behalf of the seller shall submit a surety bond to the department to
19 guarantee the payment of sales and use taxes, including any penalty and interest on
20 such payment. The department shall approve the form and contents of a bond
21 submitted under this paragraph and shall determine the amount of such bond. The
22 surety bond shall be submitted to the department within 60 days after the date on
23 which the department notifies the certified service provider that the certified service
24 provider is registered to collect sales and use taxes imposed under this subchapter.
25 If the department determines, with regards to any one certified service provider, that

no bond is necessary to protect the tax revenues of this state, the secretary of revenue or the secretary's designee may waive the requirements under this paragraph with regard to that certified service provider. Any bond submitted under this paragraph shall remain in force until the secretary of revenue or the secretary's designee releases the liability under the bond.

***-0303/4.168* SECTION 1654.** 77.61 (3) of the statutes is repealed.

***-0303/4.169* SECTION 1655.** 77.61 (3m) of the statutes is created to read:

77.61 (3m) A retailer shall use a straight mathematical computation to determine the amount of the tax that the retailer may collect from the retailer's customers. The retailer shall calculate the tax amount by combining the applicable tax rates under this subchapter and subch. V and multiplying the combined tax rate by the sales price or purchase price of each item or invoice, as appropriate. The retailer shall calculate the tax amount to the 3rd decimal place, disregard tax amounts of less than 0.5 cent, and consider tax amounts of at least 0.5 cent but less than 1 cent to be an additional cent. The use of a straight mathematical computation, as provided in this subsection, shall not relieve the retailer from liability for payment of the full amount of the tax levied under this subchapter.

***-0303/4.170* SECTION 1656.** 77.61 (4) (c) of the statutes is amended to read:

77.61 (4) (c) For reporting the sales tax and collecting and reporting the use tax imposed on the retailer under s. 77.53 (3) and the accounting connected with it, retailers, not including certified service providers, may deduct 0.5% of those taxes payable or \$10 for that reporting period required under s. 77.58 (1), whichever is greater, but not more than the amount of the sales taxes or use taxes that is payable under ss. 77.52 (1) and 77.53 (3) for that reporting period required under s. 77.58 (1), as administration expenses if the payment of the taxes is not delinquent. For

1 purposes of calculating the retailer's discount under this paragraph, the taxes on
2 retail sales reported by retailers under subch. V, including taxes collected and
3 remitted as required under s. 77.785, shall be included if the payment of those taxes
4 is not delinquent.

5 ***-0375/2.4* SECTION 1657.** 77.61 (5) (b) 12. of the statutes is created to read:

6 77.61 (5) (b) 12. The secretary of revenue and employees of that department
7 for the purposes of preparing and maintaining the list of persons with unpaid tax
8 obligations as described in s. 71.91 (8) so that the list of such persons is available for
9 public inspection.

10 ***-0303/4.171* SECTION 1658.** 77.61 (5m) of the statutes is created to read:

11 77.61 (5m) (a) In this subsection, "personally identifiable information" means
12 any information that identifies a person.

13 (b) A certified service provider may use personally identifiable information as
14 necessary only for the administration of its system to perform a seller's sales and use
15 tax functions and shall provide consumers clear and conspicuous notice of its practice
16 regarding such information, including how it collects the information, how it uses the
17 information, and under what circumstances it discloses the information.

18 (c) A certified service provider may retain personally identifiable information
19 only to verify exemption claims, to investigate fraud, and to ensure its system's
20 reliability. A certified service provider who retains an individual's personally
21 identifiable information shall provide reasonable notice of such retention to the
22 individual and shall provide the individual reasonable access to the information and
23 an opportunity to correct inaccurate information. If any person, other than a state
24 that is a signatory to the agreement, as defined in s. 77.65 (2) (a), requests access to

1 an individual's personally identifiable information, the certified service provider
2 shall make a reasonable and timely effort to notify the individual of the request.

3 (d) A certified service provider shall provide sufficient technical, physical, and
4 administrative safeguards to protect personally identifiable information from
5 unauthorized access and disclosure.

6 ***-1598/7.1* SECTION 1659.** 77.61 (11) of the statutes is amended to read:

7 77.61 (11) Any city, village or town clerk or other official whose duty it is to issue
8 licenses or permits to engage in a business involving the sale at retail of tangible
9 personal property subject to tax under this subchapter, or the furnishing of services
10 so subject to tax, shall, before issuing such license or permit, require proof that the
11 person to whom such license or permit is to be issued is the holder of a seller's permit
12 ~~as required by~~ or is registered to collect, report, and remit use tax under this
13 ~~subchapter or has been informed by an employee of the department that the~~
14 ~~department will issue a seller's permit to that person~~ or register that person to
15 collect, report, and remit use tax.

****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

16 ***-0303/4.172* SECTION 1660.** 77.61 (16) of the statutes is created to read:

17 77.61 (16) Any person who remits taxes and files returns under this subchapter
18 may designate an agent, as defined in s. 77.524 (1) (ag), to remit such taxes and file
19 such returns with the department in a manner prescribed by the department.

20 ***-0303/4.173* SECTION 1661.** 77.63 of the statutes is repealed and recreated
21 to read:

22 **77.63 Collection compensation.** The following persons may retain a portion
3 of sales and use taxes collected on retail sales under this subchapter and subch. V

1 in an amount determined by the department and by contracts that the department
2 enters into pursuant to the agreement, as defined in s. 77.65 (2) (a):

3 (1) A certified service provider.

4 (2) A seller that uses a certified automated system, as defined in s. 77.524 (1)
5 (am).

6 (3) A seller that sells tangible personal property or taxable services in at least
7 5 states that are signatories to the agreement, as defined in s. 77.65 (2) (a); that has
8 total annual sales revenue of at least \$500,000,000; that has a proprietary system
9 that calculates the amount of tax owed to each taxing jurisdiction in which the seller
10 sells tangible personal property or taxable services; and that has entered into a
11 performance agreement with the states that are signatories to the agreement, as
12 defined in s. 77.65 (2) (a). For purposes of this subsection, “seller” includes an
13 affiliated group of sellers using the same proprietary system to calculate the amount
14 of tax owed in each taxing jurisdiction in which the sellers sell tangible personal
15 property or taxable services.

16 ***-0303/4.174* SECTION 1662.** 77.65 (2) (c) of the statutes is repealed.

17 ***-0303/4.175* SECTION 1663.** 77.65 (2) (e) of the statutes is amended to read:

18 77.65 (2) (e) “Seller” means any person who sells, leases, or rents tangible
19 personal property or services.

20 ***-0303/4.176* SECTION 1664.** 77.67 of the statutes is created to read:

21 **77.67 Amnesty for new registrants.** (1) A seller is not liable for uncollected
22 and unpaid taxes, including penalties and interest, imposed under this subchapter
23 and subch. V on sales made to purchasers in this state before the seller registers
24 under par. (a), if all of the following apply:

1 (a) The seller registers with the department, in a manner that the department
2 prescribes, to collect and remit the taxes imposed under this subchapter and subch.
3 V on sales to purchasers in this state in accordance with the agreement, as defined
4 in s. 77.65 (2) (a).

5 (b) The seller registers under par. (a) no later than 365 days after the effective
6 date of this state's participation in the agreement under s. 77.65 (2) (a) [revisor
7 inserts date].

8 (c) The seller was not registered to collect and remit the taxes imposed under
9 this subchapter and subch. V during the 365 consecutive days immediately before
10 the effective date of this state's participation in the agreement under s. 77.65 (2) (a)
11 [revisor inserts date].

12 (d) The seller has not received a notice of the commencement of an audit from
13 the department or, if the seller has received a notice of the commencement of an audit
14 from the department, the audit has not been resolved by any means, including any
15 related administrative and judicial processes, at the time that the seller registers
16 under par. (a).

17 (e) The seller has not committed or been involved in a fraud or an intentional
18 misrepresentation of a material fact.

19 (f) The seller collects and remits the taxes imposed under this subchapter and
20 subch. V on sales to purchasers in this state for at least 3 consecutive years after the
21 date on which the seller registers under par. (a).

22 (2) Subsection (1) does not apply to taxes imposed under this subchapter and
23 subch. V that are due from the seller for purchases made by the seller.

24 *-0303/4.177* SECTION 1665. 77.70 of the statutes is amended to read:

1 **77.70 Adoption by county ordinance.** Any county desiring to impose county
2 sales and use taxes under this subchapter may do so by the adoption of an ordinance,
3 stating its purpose and referring to this subchapter. The county sales and use taxes
4 may be imposed only for the purpose of directly reducing the property tax levy and
5 only in their entirety as provided in this subchapter. That ordinance shall be
6 effective on the first day of January, the first day of April, the first day of July or the
7 first day of October. A certified copy of that ordinance shall be delivered to the
8 secretary of revenue at least 120 days prior to its effective date. The repeal of any
9 such ordinance shall be effective on December 31. A certified copy of a repeal
10 ordinance shall be delivered to the secretary of revenue at least ~~60~~ 120 days before
11 the effective date of the repeal.

12 *~~-0303/4.178~~* **SECTION 1666.** 77.705 of the statutes is amended to read:

13 **77.705 Adoption by resolution; baseball park district.** A local
14 professional baseball park district created under subch. III of ch. 229, by resolution
15 under s. 229.68 (15), may impose a sales tax and a use tax under this subchapter at
16 a rate of no more than 0.1% of the gross receipts or sales price. Those taxes may be
17 imposed only in their entirety. The resolution shall be effective on the first day of the
18 ~~first month~~ January 1, April 1, July 1, or October 1 that begins at least ~~30~~ 120 days
19 after the adoption of the resolution.

20 *~~-0303/4.179~~* **SECTION 1667.** 77.706 of the statutes is amended to read:

21 **77.706 Adoption by resolution; football stadium district.** A local
22 professional football stadium district created under subch. IV of ch. 229, by
23 resolution under s. 229.824 (15), may impose a sales tax and a use tax under this
24 subchapter at a rate of 0.5% of the gross receipts or sales price. Those taxes may be
25 imposed only in their entirety. The imposition of the taxes under this section shall

1 be effective on the first day of the first month January 1, April 1, July 1, or October
2 1 that begins at least ~~30~~ 120 days after the certification of the approval of the
3 resolution by the electors in the district's jurisdiction under s. 229.824 (15).

4 *~~0303/4.180~~* SECTION 1668. 77.707 (1) of the statutes is amended to read:

5 77.707 (1) Retailers and the department of revenue may not collect a tax under
6 s. 77.705 for any local professional baseball park district created under subch. III of
7 ch. 229 after the last day of the calendar quarter during that is at least 120 days from
8 the date on which the local professional baseball park district board makes a
9 certification to the department of revenue under s. 229.685 (2), except that the
10 department of revenue may collect from retailers taxes that accrued before the day
11 after the last day of that calendar quarter and fees, interest and penalties that relate
12 to those taxes.

13 *~~0303/4.181~~* SECTION 1669. 77.707 (2) of the statutes is amended to read:

14 77.707 (2) Retailers and the department of revenue may not collect a tax under
15 s. 77.706 for any local professional football stadium district created under subch. IV
16 of ch. 229 after the last day of the calendar quarter during that is at least 120 days
17 from the date on which the local professional football stadium district board makes
18 all of the certifications to the department of revenue under s. 229.825 (3), except that
19 the department of revenue may collect from retailers taxes that accrued before the
20 day after the last day of that calendar quarter and fees, interest and penalties that
21 relate to those taxes.

22 *~~0303/4.182~~* SECTION 1670. 77.71 (1) of the statutes is amended to read:

23 77.71 (1) For the privilege of selling, licensing, leasing or renting tangible
24 personal property and for the privilege of selling, licensing, performing or furnishing
25 services a sales tax is imposed upon retailers at the rate of 0.5% in the case of a county

1 tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the
2 ~~gross receipts~~ sales price from the sale, licensing, lease or rental of tangible personal
3 property, except property taxed under sub. (4), sold, licensed, leased or rented at
4 retail in the county or special district or from selling, licensing, performing or
5 furnishing services described under s. 77.52 (2) in the county or special district.

6 ***-0303/4.183* SECTION 1671.** 77.71 (2) of the statutes is amended to read:

7 77.71 (2) An excise tax is imposed at the rate of 0.5% in the case of a county tax
8 or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the ~~sales~~
9 purchase price upon every person storing, using or otherwise consuming in the
10 county or special district tangible personal property or services if the property or
11 service is subject to the state use tax under s. 77.53, except that a receipt indicating
12 that the tax under sub. (1), (3) or (4) has been paid relieves the buyer of liability for
13 the tax under this subsection and except that if the buyer has paid a similar local tax
14 in another state on a purchase of the same property or services that tax shall be
15 credited against the tax under this subsection and except that for motor vehicles that
16 are used for a purpose in addition to retention, demonstration or display while held
17 for sale in the regular course of business by a dealer the tax under this subsection
18 is imposed not on the ~~sales~~ purchase price but on the amount under s. 77.53 (1m).

19 ***-0303/4.184* SECTION 1672.** 77.71 (3) of the statutes is amended to read:

20 77.71 (3) An excise tax is imposed upon a contractor engaged in construction
21 activities within the county or special district, at the rate of 0.5% in the case of a
22 county tax or at the rate under s. 77.705 or 77.706 in the case of a special district tax
23 of the ~~sales~~ purchase price of tangible personal property that is used in constructing,
24 altering, repairing or improving real property and that becomes a component part
25 of real property in that county or special district, except that if the contractor has

1 paid the sales tax of a county in the case of a county tax or of a special district in the
2 case of a special district tax in this state on that property, or has paid a similar local
3 sales tax in another state on a purchase of the same property, that tax shall be
4 credited against the tax under this subsection.

5 ***-0303/4.185* SECTION 1673.** 77.71 (4) of the statutes is amended to read:

6 77.71 (4) An excise tax is imposed at the rate of 0.5% in the case of a county tax
7 or at the rate under s. 77.705 or 77.706 in the case of a special district tax of the sales
8 purchase price upon every person storing, using or otherwise consuming a motor
9 vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer,
10 semitrailer, ~~all-terrain vehicle~~ or aircraft, if that property must be registered or
11 titled with this state and if that property is to be customarily kept in a county that
12 has in effect an ordinance under s. 77.70 or in a special district that has in effect a
13 resolution under s. 77.705 or 77.706, except that if the buyer has paid a similar local
14 sales tax in another state on a purchase of the same property that tax shall be
15 credited against the tax under this subsection.

16 ***-0303/4.186* SECTION 1674.** 77.72 (title) of the statutes is repealed.

17 ***-0303/4.187* SECTION 1675.** 77.72 (1) of the statutes is renumbered 77.72 and
18 amended to read:

19 **77.72 General rule for property.** For the purposes of this subchapter, all
20 retail sales of tangible personal property ~~are completed at the time when, and the~~
21 ~~place where, the seller or the seller's agent transfers possession to the buyer or the~~
22 ~~buyer's agent. In this subsection, a common carrier or the U.S. postal service is the~~
23 ~~agent of the seller, regardless of any f.o.b. point and regardless of the method by~~
24 ~~which freight or postage is paid. Rentals and leases of property, except property~~

1 ~~under sub. (2), have a situs at the location of that property and taxable services occur~~
2 ~~as provided in s. 77.522.~~

3 ***-0303/4.188*** **SECTION 1676.** 77.72 (2) and (3) of the statutes are repealed.

4 ***-0303/4.189*** **SECTION 1677.** 77.73 (2) of the statutes is amended to read:

5 77.73 (2) Counties and special districts do not have jurisdiction to impose the
6 tax under s. 77.71 (2) in regard to tangible personal property, except snowmobiles,
7 trailers, semitrailers, and all-terrain vehicles, purchased in a sale that is
8 consummated in another county or special district in this state that does not have
9 in effect an ordinance or resolution imposing the taxes under this subchapter and
10 later brought by the buyer into the county or special district that has imposed a tax
11 under s. 77.71 (2).

12 ***-0303/4.190*** **SECTION 1678.** 77.73 (3) of the statutes is created to read:

13 77.73 (3) Counties and special districts have jurisdiction to impose the taxes
14 under this subchapter on retailers who register under s. 77.53 (9m). A retailer who
15 registers under s. 77.53 (9m) shall collect, report, and remit to the department the
16 taxes imposed under this subchapter for all counties and special districts that have
17 an ordinance or resolution imposing the taxes under this subchapter.

18 ***-0303/4.191*** **SECTION 1679.** 77.75 of the statutes is amended to read:

19 **77.75 Reports.** Every person subject to county or special district sales and use
20 taxes shall, for each reporting period, record that person's sales made in the county
21 or special district that has imposed those taxes separately from sales made
22 elsewhere in this state and file a report ~~of the measure of the county or special district~~
23 ~~sales and use taxes and the tax due thereon separately~~ as prescribed by the
24 department of revenue.

1 *–0303/4.192* SECTION 1680. 77.77 (1) of the statutes is renumbered 77.77 (1)

2 (a) and amended to read:

3 77.77 (1) (a) ~~The gross receipts~~ sales price from services subject to the tax under
4 s. 77.52 (2) ~~are not or the lease, rental, or license of tangible personal property is~~
5 subject to the taxes under this subchapter, and the incremental amount of tax caused
6 by a rate increase applicable to those services, leases, rentals, or licenses is not due,
7 ~~if those services are billed to the customer and paid for before~~ beginning with the first
8 billing period starting on or after the effective date of the county ordinance, special
9 district resolution, or rate increase, regardless of whether the service is furnished or
10 the property is leased, rented, or licensed to the customer before or after that date.

11 *–0303/4.193* SECTION 1681. 77.77 (1) (b) of the statutes is created to read:

12 77.77 (1) (b) The sales price from services subject to the tax under s. 77.52 (2)
13 or the lease, rental, or license of tangible personal property is not subject to the taxes
14 under this subchapter, and a decrease in the tax rate imposed under this subchapter
15 on those services first applies, beginning with bills rendered on or after the effective
16 date of the repeal or sunset of a county ordinance or special district resolution
17 imposing the tax or other rate decrease, regardless of whether the service is
18 furnished or the property is leased, rented, or licensed to the customer before or after
19 that date.

20 *–0303/4.194* SECTION 1682. 77.77 (2) of the statutes is repealed.

21 *–0303/4.195* SECTION 1683. 77.785 (1) of the statutes is amended to read:

22 77.785 (1) All retailers shall collect and report the taxes under this subchapter
23 on the ~~gross receipts~~ sales price from leases and rentals of property under s. 77.71
24 (4).

25 *–0303/4.196* SECTION 1684. 77.785 (2) of the statutes is amended to read:

1 77.785 (2) Prior to registration or titling, a retailer of a boat, all-terrain vehicle,
2 trailer and semi-trailer dealers and licensed aircraft, motor vehicle, or mobile home
3 and snowmobile dealers shall collect the taxes under this subchapter on sales of
4 items under s. 77.71 (4). The dealer retailer shall remit those taxes to the
5 department of revenue along with payments of the taxes under subch. III.

6 ***-0519/3.4* SECTION 1685.** 77.89 (2) (b) of the statutes is amended to read:

7 77.89 (2) (b) The municipal treasurer shall pay all amounts received under s.
8 77.84 (2) (b) and (bm) to the county treasurer, as provided under ss. 74.25 and 74.30.
9 The county treasurer shall, by June 30 of each year, pay all amounts received under
10 this paragraph to the department. All amounts received by the department shall be
11 credited to the conservation fund and shall be reserved for land acquisition and
12 resource-management activities grants under s. 77.895.

13 ***-0519/3.5* SECTION 1686.** 77.895 of the statutes is created to read:

14 **77.895 Grants for land acquisitions for outdoor activities. (1)**

15 DEFINITIONS. In this section:

16 (a) “Board” means the managed forest land board.

17 (b) “Land” means land in fee simple, conservation easements, and other
18 easements in land.

19 (c) “Local governmental unit” means a city, town, or county.

20 (d) “Nonprofit conservation organization” has the meaning given in s. 23.0955
21 (1).

22 **(2) PROGRAM.** The board shall establish a program to award grants from the
23 appropriation under s. 20.370 (5) (bz) to local governmental units, the department,
24 and nonprofit conservation organizations to acquire land to be used for hunting,
25 fishing, hiking, sight-seeing, and cross-country skiing.

1 (3) REQUIREMENTS. The board shall promulgate rules establishing
2 requirements for awarding grants under this section. The rules promulgated under
3 this subsection shall include all of the following:

4 (a) A requirement that the board give higher priority to counties over other
5 grant applicants in awarding grants under this section.

6 (b) A requirement that, in awarding grants to counties under this section, the
7 board give higher priority to counties that have higher numbers of acres that are
8 designated as closed under s. 77.83.

9 (c) A requirement that, in awarding grants to towns under this section, the
10 board give higher priority to towns that have higher numbers of acres that are
11 designated as closed under s. 77.83.

12 (d) A requirement that no grant may be awarded under this section without it
13 being approved by the board of each county in which the land to be acquired is
14 located.

15 (e) Requirements concerning the use of sound forestry practices on land
16 acquired under this section.

17 (4) USE OF LAND. Land acquired under this section may be used for purposes
18 in addition to those specified in sub. (2) if the additional uses are compatible with the
19 purposes specified in sub. (2).

20 *–0303/4.197* SECTION 1687. 77.98 of the statutes is amended to read:

21 **77.98 Imposition.** A local exposition district under subch. II of ch. 229 may
22 impose a tax on the retail sale, except sales for resale, within the district's
23 jurisdiction under s. 229.43 of ~~products that are subject to a tax under s. 77.54 (20)~~
24 ~~(e) 1. to 3. and not~~ candy, as defined in s. 77.51 (1e), prepared food, as defined in s.
25 77.51 (10m), and soft drinks, as defined in s. 77.51 (17w), unless exempt from the

1 sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9), (9a) ~~or (20) (e) 5., (20n) (b) and (c),~~
2 and (20r).

3 ***-0303/4.198* SECTION 1688.** 77.981 of the statutes is amended to read:

4 **77.981 Rate.** The tax under s. 77.98 is imposed on the sale of taxable products
5 at the rate of 0.25% of the ~~gross receipts~~ sales price, except that the district, by a vote
6 of a majority of the authorized members of its board of directors, may impose the tax
7 at the rate of 0.5% of the ~~gross receipts~~ sales price. A majority of the authorized
8 members of the district's board may vote that, if the balance in a special debt service
9 reserve fund of the district is less than the requirement under s. 229.50 (5), the tax
10 rate under this subchapter is 0.5%. The 0.5% rate shall be effective on the next
11 January 1, April 1, July 1 or October 1, and this tax is irrevocable if any bonds issued
12 by the district and secured by the special debt service reserve fund are outstanding.

13 ***-0303/4.199* SECTION 1689.** 77.982 (2) of the statutes is amended to read:

14 77.982 (2) Sections 77.51 (4) (a), (b) ~~1., 2. and 4., (c) 1. to 3. and (d) (12m), (14)~~
15 ~~(a) to (f), (j) and (k) and, (14g), (15a), and (15b), 77.52 (3), (6), (3m), (4), (13), (14), (18)~~
16 ~~and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m),~~
17 ~~(5), (8), (9) and, (12) to (14), and (15), and 77.62, as they apply to the taxes under~~
18 ~~subch. III, apply to the tax under this subchapter. Sections 77.72 (1) and Section~~
19 ~~77.73, as they apply it applies to the taxes under subch. V, apply applies to the tax~~
20 ~~under this subchapter.~~

21 ***-0303/4.200* SECTION 1690.** 77.99 of the statutes is amended to read:

22 **77.99 Imposition.** A local exposition district under subch. II of ch. 229 may
23 impose a tax at the rate of 3% of the ~~gross receipts~~ sales price on the rental, but not
24 for rental and not for rental as a service or repair replacement vehicle, within the
25 district's jurisdiction under s. 229.43, of Type 1 automobiles, as defined in s. 340.01

(4) (a), by establishments primarily engaged in short-term rental of passenger cars without drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9) or (9a). If the state makes a payment under s. 229.50 (7) to a district's special debt service reserve fund, a majority of the district's authorized board of directors may vote to increase the tax rate under this subchapter to 4%.

***-0303/4.201* SECTION 1691.** 77.991 (2) of the statutes is amended to read:

77.991 (2) Sections 77.51 (4) (a), (b) 1., 2. and 4., (c) 1. to 3. and (d) and (12m), (14) (a) to (f), (j) and (k), (14g), (15a), and (15b), 77.52 (3), (3m), (4), (6), (13), (14) and, (18), and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9) and, (12) to (14), and (15), and 77.62, as they apply to the taxes under subch. III, apply to the tax under this subchapter. Sections 77.72 (1) and (2) (a) and Section 77.73, as they apply it applies to the taxes under subch. V, apply applies to the tax under this subchapter. The renter shall collect the tax under this subchapter from the person to whom the passenger car is rented.

***-0303/4.202* SECTION 1692.** 77.994 (1) (intro.) of the statutes is amended to read:

77.994 (1) (intro.) Except as provided in sub. (2), a municipality or a county all of which is included in a premier resort area under s. 66.1113 may, by ordinance, impose a tax at a rate of 0.5% of the gross receipts sales price from the sale, license, lease, or rental in the municipality or county of goods or services that are taxable under subch. III made by businesses that are classified in the standard industrial classification manual, 1987 edition, published by the U.S. office of management and budget, under the following industry numbers:

***-0303/4.203* SECTION 1693.** 77.9941 (4) of the statutes is amended to read:

1 77.9941 (4) Sections 77.72 (1), (2) (a) and (3) (a), 77.73, 77.74, 77.75, 77.76 (1),
2 (2), and (4), 77.77 (1) and (2), 77.785 (1), and 77.79, as they apply to the taxes under
3 subch. V, apply to the tax under this subchapter.

4 ***-1046/P1.1* SECTION 1694.** 77.995 (2) of the statutes is amended to read:

5 77.995 (2) There is imposed a fee at the rate of ~~3%, or 5% for the rental of~~
6 limousines, of the gross receipts on the rental, but not for rental and not for rental
7 as a service or repair replacement vehicle of Type 1 automobiles, as defined in s.
8 340.01 (4) (a); of mobile homes, as defined in s. 340.01 (29); of motor homes, as defined
9 in s. 340.01 (33m); and of camping trailers, as defined in s. 340.01 (6m) by
10 establishments primarily engaged in short-term rental of vehicles without drivers,
11 for a period of 30 days or less, unless the sale is exempt from the sales tax under s.
12 77.54 (1), (4), (7) (a), (7m) or (9a). There is also imposed a fee at the rate of 5% of the
13 gross receipts on the rental of limousines.

14 ***-0303/4.204* SECTION 1695.** 77.995 (2) of the statutes, as affected by 2005
15 Wisconsin Act (this act), is repealed and recreated to read:

16 77.995 (2) There is imposed a fee at the rate of 5% of the sales price on the
17 rental, but not for rental and not for rental as a service or repair replacement
18 vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as
19 defined in s. 340.01 (29); of motor homes, as defined in s. 340.01 (33m); and of
20 camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged
21 in short-term rental of vehicles without drivers, for a period of 30 days or less, unless
22 the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). There
23 is also imposed a fee at the rate of 5% of the sales price on the rental of limousines.

 ****NOTE: This is reconciled s. 77.995 (2). This SECTION has been affected by
LRB-1046/P1.

1 ***-0303/4.205*** SECTION 1696. 77.9951 (2) of the statutes is amended to read:

2 77.9951 (2) Sections 77.51 (4) (a), (b) 1., 2. and 4., (c) 1. to 3. and (d) and (12m),
3 (14) (a) to (f), (j) and (k), (15a), and (15b), 77.52 (3m), (4), (6), (13), (14) and, (18), and
4 (19), 77.522 (2), 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m),
5 (5), (8), (9) and, (12) to (14), and (15), and 77.62, as they apply to the taxes under
6 subch. III, apply to the fee under this subchapter. The renter shall collect the fee
7 under this subchapter from the person to whom the vehicle is rented.

8 ***-0303/4.206*** SECTION 1697. 77.996 (6) of the statutes is amended to read:

9 77.996 (6) “Gross receipts” has the meaning given in s. 77.51 (4) (a), (b) 1. and
10 ~~5., (c) 1. to 4., and (d)~~ means the sales price, as defined in s. 77.51 (15b), of tangible
11 personal property and taxable services sold by a dry cleaning facility. “Gross
12 receipts” does not include the license fee imposed under s. ~~77.9661 (1m)~~ s. 77.9961
13 (1m) that is passed on to customers.

14 ***-0302/4.63*** SECTION 1698. 78.005 (14) of the statutes is amended to read:

15 78.005 (14) “Supplier” includes a person who imports, or acquires immediately
16 upon import, motor vehicle fuel by pipeline or marine vessel from a state, territory
17 or possession of the United States or from a foreign country into a terminal and who
18 is registered under 26 USC 4101 for tax-free transactions in gasoline. “Supplier”
19 also includes a person who produces in this state; or imports into a terminal or bulk
20 plant; or acquires immediately upon import by truck, railcar or barge into a terminal;
21 alcohol or alcohol derivative substances. “Supplier” also includes a person who
22 produces, manufactures or refines motor vehicle fuel in this state. “Supplier” also
23 includes a person who acquires motor vehicle fuel pursuant to an industry terminal
24 exchange agreement or by a 2-party exchange under section 4105 of the Internal
25 Revenue Code. “Supplier” does not include a retail dealer or wholesaler who merely

1 blends alcohol with gasoline before the sale or distribution of the product. “Supplier”
2 does not include a terminal operator who merely handles in a terminal motor vehicle
3 fuel consigned to the terminal operator.

4 ***-1229/6.4* SECTION 1699.** 79.01 (1) of the statutes is amended to read:

5 79.01 (1) There is established an account in the general fund entitled the
6 “Expenditure Restraint Program Account.” There shall be appropriated to that
7 account \$25,000,000 in 1991, in 1992, and in 1993; \$42,000,000 in 1994; \$48,000,000
8 in each year beginning in 1995 and ending in 1999; \$57,000,000 in the year 2000 and
9 in the year 2001; \$57,570,000 in 2002; and \$58,145,700 in 2003 and in each year
10 thereafter, ending in 2006.

11 ***-1231/7.3* SECTION 1700.** 79.01 (5) of the statutes is created to read:

12 79.01 (5) There is established an account in the general fund entitled the
13 “County Levy Restraint Payment Account.” There shall be appropriated to that
14 account \$25,000,000 in 2007 and in each year thereafter.

15 ***-1229/6.5* SECTION 1701.** 79.01 (5b) of the statutes is created to read:

16 79.01 (5b) There is established an account in the general fund entitled the
17 “Municipal Levy Restraint Payment Account.” There shall be appropriated to that
18 account \$58,145,700 in 2007 and in each year thereafter.

19 ***-1231/7.4* SECTION 1702.** 79.01 (6) of the statutes is created to read:

20 79.01 (6) There is established an account in the general fund entitled the
21 “County Levy Restraint Bonus Payment Account.” There shall be appropriated to
22 that account \$10,000,000 in 2007 and in each year thereafter.

23 ***-1229/6.6* SECTION 1703.** 79.01 (6b) of the statutes is created to read:

1 79.01 (6b) There is established an account in the general fund entitled the
2 “Municipal Levy Restraint Bonus Payment Account.” There shall be appropriated
3 to that account \$10,000,000 in 2007 and in each year thereafter.

4 *–1231/7.5* SECTION 1704. 79.015 of the statutes is amended to read:

5 **79.015 Statement of estimated payments.** The department of revenue, on
6 or before September 15 of each year, shall provide to each municipality and county
7 a statement of estimated payments to be made in the next calendar year to the
8 municipality or county under ss. 79.03, 79.035, 79.04, 79.05, 79.051, 79.052, 79.058,
9 and 79.06.

 ****NOTE: This is reconciled s. 79.015. This SECTION has been affected by
LRB-1231/4 and LRB-1229/3.

10 *–1231/7.6* SECTION 1705. 79.02 (2) (b) of the statutes is amended to read:

11 79.02 (2) (b) Subject to ss. 59.605 (4) and 70.995 (14) (b), payments in July shall
12 equal 15% of the municipality’s or county’s estimated payments under ss. 79.03,
13 79.035, 79.04, 79.058, and 79.06 and 100% of the municipality’s or county’s estimated
14 payments under ~~ss.~~ ss. 79.05, 79.051, and 79.052.

 ****NOTE: This is reconciled s. 79.02 (2) (b). This SECTION has been affected by
LRB-1231/4 and LRB-1229/3.

15 *–1233/1.1* SECTION 1706. 79.043 (4) of the statutes is amended to read:

16 79.043 (4) Except as provided under s. 79.02 (3) (e), beginning in 2004 the total
17 amount to be distributed each year to municipalities from the aid account is
18 \$703,102,200 \$702,483,300.

19 *–1229/6.7* SECTION 1707. 79.05 (7) of the statutes is created to read:

20 79.05 (7) Beginning in 2007, no municipality may receive a payment under this
21 section.

22 *–1229/6.8* SECTION 1708. 79.051 of the statutes is created to read:

1 **79.051 Municipal levy restraint program. (1) DEFINITIONS.** In this section:

2 (ad) “Debt service” includes debt service on debt issued or reissued to fund or
3 refund outstanding municipal obligations, interest on outstanding municipal
4 obligations, and related issuance costs and redemption premiums.

5 (am) “Inflation factor” means a percentage equal to the average annual
6 percentage change in the U.S. consumer price index for all urban consumers, U.S.
7 city average, as determined by the U.S. department of labor, for the 12 months
8 ending on June 30 of the year before the statement under s. 79.015.

9 (b) “Maximum allowable levy” means the municipal tax levy for the year before
10 the statement under s. 79.015, as adjusted under sub. (5), multiplied by the sum of
11 one plus 85 percent of the inflation factor and 85 percent of the valuation factor,
12 rounded to the nearest 0.01 percent.

13 (c) “Municipal tax levy” means the amounts reported as the total taxes levied
14 for each town, village, or city on the statement of taxes filed with the department of
15 revenue under s. 73.10, not including the incremental levy for municipal tax
16 incremental financing districts and the incremental levy for county environmental
17 tax financing districts.

18 (d) “Municipal tax rate” means the municipal tax levy divided by the taxable
19 value.

20 (e) “Region” means any of the following areas to which a municipality is
21 assigned, for purposes of determining the eligibility for and the amount of the
22 payments under this subsection, according to the county in which the municipality
23 is located, except that if the municipality is located in more than one county, the
24 municipality is considered, for purposes of determining the eligibility for and the

1 amount of the payments under this subsection, to be located in the county that has
2 the greater taxable value:

3 1. Region 1, consisting of the counties of Brown, Door, Florence, Kewaunee,
4 Manitowoc, Marinette, Oconto, and Sheboygan.

5 2. Region 2, consisting of the counties of Calumet, Fond du Lac, Green Lake,
6 Marquette, Menominee, Outagamie, Shawano, Waupaca, Waushara, and
7 Winnebago.

8 3. Region 3, consisting of the counties of Buffalo, Crawford, Jackson, La Crosse,
9 Monroe, Pepin, Pierce, Trempealeau, and Vernon.

10 4. Region 4, consisting of the counties of Adams, Forest, Juneau, Langlade,
11 Lincoln, Marathon, Oneida, Portage, Vilas, and Wood.

12 5. Region 5, consisting of the counties of Ashland, Bayfield, Burnett, Douglas,
13 Iron, Price, Rusk, Sawyer, Taylor, and Washburn.

14 6. Region 6, consisting of the counties of Columbia, Dane, Dodge, Jefferson,
15 Rock, and Sauk.

16 7. Region 7, consisting of the counties of Kenosha, Milwaukee, Ozaukee,
17 Racine, Walworth, Washington, and Waukesha.

18 8. Region 8, consisting of the counties of Grant, Green, Iowa, Lafayette, and
19 Richland.

20 9. Region 9, consisting of the counties of Barron, Chippewa, Clark, Dunn, Eau
21 Claire, Polk, and St. Croix.

22 (f) "Taxable value" means, for a municipality, the equalized assessed value of
23 all property located in the municipality, as determined under s. 70.57, excluding the
24 value of any tax increments under s. 66.1105, and, for a county, the equalized

1 assessed value of all property located in the county, as determined under s. 70.57,
2 excluding the value of any tax increments under s. 66.1105.

3 (g) “Valuation factor” means a percentage equal to 60 percent of the percentage
4 change in the region’s equalized value under s. 70.57 due to new construction less
5 improvements removed between the year before the statement under s. 79.015 and
6 the previous year, but not less than zero nor greater than 2.

7 (2) ELIGIBILITY. A municipality is eligible to receive a payment under sub. (4)
8 if it fulfills all of the following requirements:

9 (a) The municipality’s municipal tax rate for the year before the statement
10 under s. 79.015 is greater than 5 mills.

11 (b) The municipality’s municipal tax levy for the year of the statement under
12 s. 79.015 is no greater than the municipality’s maximum allowable levy.

13 (3) CONSUMER PRICE INDEX. Annually, on August 1, the department of revenue
14 shall certify to the joint committee on finance the appropriate percentage change in
15 the consumer price index that is to be used to determine the inflation factor.

16 (4) PAYMENTS. (a) Beginning in 2007, each municipality that is eligible under
17 sub. (2) shall receive a payment calculated by the department of revenue as follows:

18 1. Subtract 5 mills from the municipality’s municipal tax rate.

19 2. Multiply the amount determined under subd. 1. by the municipality’s
20 taxable value.

21 3. Divide the amount determined under subd. 2. by the total of the amounts
22 under subd. 2. for all municipalities that are eligible for a payment under sub. (2).

23 4. Multiply the amount determined under subd. 3. by \$58,145,700.

24 (b) Each municipality that is eligible under sub. (2) shall receive an additional
25 payment calculated by the department of revenue as follows:

1 1. Subtract the municipal tax levy, as determined under par. (a) 1., from the
2 municipality's maximum allowable levy.

3 2. Divide the amount determined under subd. 1. by the total of the amounts
4 under subd. 1. for all municipalities that are eligible for a payment under sub. (2).

5 3. Multiply the amount determined under subd. 2. by \$10,000,000.

6 **(5) ADJUSTMENTS.** For purposes of determining eligibility for and the amount
7 of the payments under this section:

8 (a) If a municipality transfers to another governmental unit responsibility for
9 providing any service that the municipality provided in the preceding year, its
10 municipal tax levy for the preceding year shall be decreased to reflect the amount
11 that the municipality levied to provide that service, as determined by the department
12 of revenue.

13 (b) If a municipality increases the services that it provides by adding
14 responsibility for providing a service transferred to it from another governmental
15 unit in any year, its municipal tax levy for the preceding year shall be increased to
16 reflect the cost of that service, as determined by the department of revenue.

17 (c) If in any year a municipality's distribution under s. 79.043 (5) is less than
18 the municipality's distribution under s. 79.043 (5) in the previous year, the
19 municipality's maximum allowable levy shall be increased to reflect the reduction in
20 the distribution.

21 (d) The maximum allowable levy otherwise applicable under this section does
22 not apply to amounts levied by a municipality for the payment of any general
23 obligation debt service, including debt service on debt issued or reissued to fund or
24 refund outstanding obligations of the municipality, interest on outstanding

1 obligations of the municipality, or the payment of related issuance costs or
2 redemption premiums, secured by the full faith and credit of the municipality.

3 *-1231/7.7* SECTION 1709. 79.052 of the statutes is created to read:

4 **79.052 County levy restraint program.** (1) DEFINITIONS. In this section:

5 (a) "County tax levy" means the sum for all municipalities in the county of the
6 amounts reported as total county taxes levied on the statement of taxes filed with the
7 department of revenue under s. 73.10, not including any taxes levied under s.
8 115.817 (9).

9 (b) "County tax rate" means the county tax levy divided by the equalized
10 assessed value of all property located in the county, as determined under s. 70.57,
11 excluding the value of any tax increments under s. 66.1105.

12 (bm) "Debt service" includes debt service on debt issued or reissued to fund or
13 refund outstanding county obligations, interest on outstanding county obligations,
14 and related issuance costs and redemption premiums.

15 (c) "Inflation factor" means a percentage equal to the average annual
16 percentage change in the U.S. consumer price index for all urban consumers, U.S.
17 city average, as determined by the U.S. department of labor, for the 12 months
18 ending on June 30 of the year before the statement under s. 79.015.

19 (d) "Maximum allowable levy" means the county tax levy for the year before the
20 statement under s. 79.015, as adjusted under sub. (5), multiplied by the sum of one
21 plus 85 percent of the inflation factor and 85 percent of the valuation factor, rounded
22 to the nearest 0.01 percent.

23 (e) "Valuation factor" means a percentage equal to 60 percent of the percentage
24 change in the county's equalized value under s. 70.57 due to new construction less

1 improvements removed between the year before the statement under s. 79.015 and
2 the previous year, but not less than zero nor greater than 2.

3 (2) ELIGIBILITY. A county is eligible to receive a payment under sub. (4) if the
4 county's county tax levy for the year of the statement under s. 79.015 is no greater
5 than the county's maximum allowable levy.

6 (3) CONSUMER PRICE INDEX. Annually, on August 1, the department of revenue
7 shall certify to the joint committee on finance the appropriate percentage change in
8 the consumer price index that is to be used to determine the inflation factor.

9 (4) PAYMENTS. (a) Beginning in 2007, each county that is eligible under sub.
10 (2) shall receive a payment calculated by the department of revenue as follows:

11 1. Determine the county tax levy for the county.

12 2. Divide the amount determined under subd. 1. by the total of the amounts
13 under subd. 1. for all counties that are eligible for a payment under sub. (2).

14 3. Multiply the amount determined under subd. 2. by \$25,000,000.

15 (b) Beginning in 2007, each county that is eligible under sub. (2) shall receive
16 an additional payment calculated by the department of revenue as follows:

17 1. Subtract the county tax levy, as determined under par. (a) 1., from the
18 county's maximum allowable levy.

19 2. Divide the amount determined under subd. 1. by the total of the amounts
20 under subd. 1. for all counties that are eligible for a payment under sub. (2).

21 3. Multiply the amount determined under subd. 2. by \$10,000,000.

22 (5) ADJUSTMENTS. For purposes of determining eligibility for and the amount
23 of the payments under this section:

24 (a) If a county transfers to another governmental unit responsibility for
25 providing any service that the county provided in the preceding year, its county tax

1 levy for the preceding year shall be decreased to reflect the amount that the county
2 levied to provide that service, as determined by the department of revenue.

3 (b) If a county increases the services that it provides by adding responsibility
4 for providing a service transferred to it from another governmental unit in any year,
5 its county tax levy for the preceding year shall be increased to reflect the cost of that
6 service, as determined by the department of revenue.

7 (c) If in any year a county's distribution under s. 79.043 (5) is less than the
8 county's distribution under s. 79.043 (5) in the previous year, the county's maximum
9 allowable levy shall be increased to reflect the reduction in the distribution.

10 (d) The maximum allowable levy otherwise applicable under this section does
11 not apply to amounts levied by a county for the payment of any general obligation
12 debt service, including debt service on debt issued or reissued to fund or refund
13 outstanding obligations of the county, interest on outstanding obligations of the
14 county, or the payment of related issuance costs or redemption premiums, secured
15 by the full faith and credit of the county.

16 ***-1456/5.1* SECTION 1710.** 79.095 (4) of the statutes is amended to read:

17 79.095 (4) PAYMENT. The department shall calculate the payments due each
18 taxing jurisdiction under this section by multiplying the full value as of the January
19 1 of the preceding year of the property that is exempt under s. 70.11 (39) and (39m)
20 and that is located in the jurisdiction by the full-value gross tax rate of the
21 jurisdiction for the preceding year. The department shall certify the amount of the
22 payment due each taxing jurisdiction to the department of administration, which
23 shall make the payments on or before the first Monday in May except that, beginning
24 in 2007, the department of administration shall make the payments on or before the
25 4th Monday in July. For purposes of ch. 121, school districts shall treat the payments

1 made in July under this subsection as if they had been received in the previous school
2 year.

3 *–1886/2.3* SECTION 1711. 79.10 (2) of the statutes is amended to read:

4 79.10 (2) NOTICE TO MUNICIPALITIES. On or before December 1 of the year
5 preceding the ~~distribution~~ distributions under sub. (7m) (a), the department of
6 revenue shall notify the clerk of each town, village and city of the estimated fair
7 market value, as determined under sub. (11), to be used to calculate the lottery and
8 gaming credit under sub. (5) and of the ~~amount~~ amounts to be distributed to it under
9 sub. (7m) (a) ~~on in~~ in the following 4th Monday in July year. The anticipated receipt
10 of such ~~distribution~~ distributions shall not be taken into consideration in
11 determining the tax rate of the municipality but shall be applied as tax credits.

12 *–1886/2.4* SECTION 1712. 79.10 (4) of the statutes is amended to read:

13 79.10 (4) SCHOOL LEVY TAX CREDIT. The amount appropriated under s. 20.835
14 (3) (b) shall be distributed to municipalities in proportion to their share of the sum
15 of average school tax levies for all municipalities, ~~as adjusted under sub. (7) except~~
16 that \$150,000,000 of the amount appropriated shall be distributed to municipalities
17 in proportion to their share of general school aids paid under s. 20.255 (2) (ac), (af),
18 and (r) in the year of notification, as determined by the department of revenue.

19 *–1886/2.5* SECTION 1713. 79.10 (7m) (a) 1. of the statutes is renumbered
20 79.10 (7m) (a) 1. a. and amended to read:

21 79.10 (7m) (a) 1. a. The Except as provided in subd. 1. b., the amount
22 determined under sub. (4) shall be distributed by the department of administration
23 on the 4th Monday in July.

24 SECTION 1714. 79.10 (7m) (a) 1. b. of the statutes is created to read:

1 79.10 (7m) (a) 1. b. No later than September 15, 2006, the department of
2 administration shall determine whether general fund revenue during the 2005–07
3 biennium will exceed the amount of general fund revenue estimated under the
4 2005–07 biennial budget, plus any amount expended under s. 20.255 (2) (af). An
5 amount equal to the amount of any excess determined under this subd. 1. b., not to
6 exceed \$150,000,000, but reduced by the amount transferred to the health care
7 quality improvement fund under s. 16.518 (4), shall be distributed by the department
8 of administration on June 15, 2007, and on each June 15 thereafter an identical
9 amount shall be distributed, and the balance of the amount determined under sub.
10 (4) shall be distributed on the 4th Monday in July 2007, and on each 4th Monday in
11 July thereafter.

12 *–1886/2.7* SECTION 1715. 79.10 (7m) (a) 2. of the statutes is amended to read:

13 79.10 (7m) (a) 2. The town, village or city treasurer shall settle for the amounts
14 distributed under this paragraph ~~on the 4th Monday in July~~ with the appropriate
15 county treasurer not later than August 15. Failure to settle timely under this
16 subdivision subjects the town, village or city treasurer to the penalties under s. 74.31.
17 On or before August 20, the county treasurer shall settle with each taxing
18 jurisdiction, including towns, villages and cities except 1st class cities, in the county.

19 *–1886/2.8* SECTION 1716. 79.10 (9) (b) of the statutes is amended to read:

20 79.10 (9) (b) *Property tax relief credit.* Except as provided in ss. 79.175 and
21 79.18, every property taxpayer of the municipality having assessed property shall
22 receive a tax credit in an amount determined by applying the percentage of the
23 amount of the value of property assessed to the taxpayer to the amount of the
24 distribution distributions to be made to the municipality under sub. (7m) (a), as
25 stated in the December 1 notification from the department of revenue, except that

1 no taxpayer may receive a credit larger than the total amount of property taxes to
2 be paid on each parcel for which tax is levied for that year by that taxpayer.

3 *-1886/2.9* SECTION 1717. 79.14 of the statutes is amended to read:

4 **79.14 School levy tax credit.** The appropriation under s. 20.835 (3) (b) is
5 \$319,305,000 in 1994, 1995, and 1996 and is; \$469,305,000 beginning in 1997 and
6 ending in 2006; and \$619,305,000 in 2007 and in each year thereafter.

7 *-1219/2.8* SECTION 1718. 84.01 (13) of the statutes is amended to read:

8 84.01 (13) ENGINEERING SERVICES. The department may engage such
9 engineering, consulting, surveying, or other specialized services as it deems
10 advisable. Any engagement of services under this subsection is exempt from ss.
11 16.70 to 16.75, 16.755 to 16.77, 16.78 to 16.82 and, 16.85 to 16.87, and 16.875 to 16.89,
12 but ss. 16.528, 16.752 and, 16.771, 16.871, and 16.754 apply to such engagement.
13 Any engagement involving an expenditure of \$3,000 or more shall be by formal
14 contract approved by the governor.

15 *-1889/2.5* SECTION 1719. 84.014 (2) of the statutes is amended to read:

16 84.014 (2) Subject to ss. 84.555 and 86.255, any southeast Wisconsin freeway
17 rehabilitation projects, including the Marquette interchange reconstruction project
18 and projects that involve adding one or more lanes 5 miles or more in length to the
19 existing freeway, may be funded only from the appropriations under ss. 20.395 (3)
20 (cr), (cw), and (cy) and 20.866 (2) (uum) and (uup).

21 *-1219/2.9* SECTION 1720. 84.06 (2) (a) of the statutes is amended to read:

22 84.06 (2) (a) All such highway improvements shall be executed by contract
23 based on bids unless the department finds that another method as provided in sub.
24 (3) or (4) would be more feasible and advantageous. Bids shall be advertised for in
25 the manner determined by the department. Except as provided in s. 84.075, the

1 contract shall be awarded to the lowest competent and responsible bidder as
2 determined by the department. If the bid of the lowest competent bidder is
3 determined by the department to be in excess of the estimated reasonable value of
4 the work or not in the public interest, all bids may be rejected. The department shall,
5 so far as reasonable, follow uniform methods of advertising for bids and may
6 prescribe and require uniform forms of bids and contracts. Except as provided in par.
7 (b), the secretary shall enter into the contract on behalf of the state. Every such
8 contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.77, 16.78 to 16.82, 16.87
9 and 16.89, but ss. 16.528, 16.752 and, 16.771, 16.871, and 16.754 apply to the
10 contract. Any such contract involving an expenditure of \$1,000 or more shall not be
11 valid until approved by the governor. The secretary may require the attorney general
12 to examine any contract and any bond submitted in connection with the contract and
13 report on its sufficiency of form and execution. The bond required by s. 779.14 (1m)
14 is exempt from approval by the governor and shall be subject to approval by the
15 secretary. This subsection also applies to contracts with private contractors based
16 on bids for maintenance under s. 84.07.

17 ***-1219/2.10* SECTION 1721.** 84.06 (3) of the statutes is amended to read:

18 **84.06 (3) CONTRACTS WITH COUNTY OR MUNICIPALITY; DIRECT LABOR; MATERIALS.** If
19 the department finds that it would be more feasible and advantageous to have the
20 improvement performed by the county in which the proposed improvement is located
21 and without bids, the department may, by arrangement with the county highway
22 committee of the county, enter into a contract satisfactory to the department to have
23 the work done by the county forces and equipment. In such contract the department
24 may authorize the county to purchase, deliver, and store materials and may fix the
25 rental rates of small tools and equipment. The contract shall be between the county

1 and the state and shall not be based on bids, and may be entered into on behalf of the
2 county by the county highway committee and on behalf of the state by the secretary.
3 Such contract is exempted from s. 779.14 and from all provisions of chs. 16 and 230,
4 except ~~s.~~ ss. 16.754, 16.771, and 16.871. If the total estimated indebtedness to be
5 incurred exceeds \$5,000 the contract shall not be valid until approved by the
6 governor. The provisions of this subsection relating to agreements between a county
7 and the state shall also authorize and apply to such arrangements between a city,
8 town, or a village and the state. In such cases, the governing body of the city, town,
9 or village shall enter into the agreement on behalf of the municipality.

10 ***-1219/2.11*** SECTION 1722. 84.06 (4) of the statutes is amended to read:

11 84.06 (4) SPECIAL CONTRACTS WITH RAILROADS AND UTILITIES. If an improvement
12 undertaken by the department will cross or affect the property or facilities of a
13 railroad or public utility company, the department may, upon finding that it is
14 feasible and advantageous to the state, arrange to perform portions of the
15 improvement work affecting such facilities or property or perform work of altering,
16 rearranging, or relocating such facilities by contract with the railroad or public
17 utility. Such contract shall be between the railroad company or public utility and the
18 state and need not be based on bids. The contract may be entered into on behalf of
19 the state by the secretary. Every such contract is exempted from s. 779.14 and from
20 all provisions of chs. 16 and 230, except ss. 16.528, 16.752 and, 16.754, 16.771, and
21 16.871. No such contract in which the total estimated debt to be incurred exceeds
22 \$5,000 shall be valid until approved by the governor. As used in this subsection,
23 "public utility" means the same as in s. 196.01 (5), and includes a
24 telecommunications carrier as defined in s. 196.01 (8m), and "railroad" means the
25 same as in s. 195.02. "Property" as used in this subsection includes but is not limited

1 to tracks, trestles, signals, grade crossings, rights-of-way, stations, pole lines,
2 plants, substations, and other facilities. Nothing in this subsection shall be
3 construed to relieve any railroad or public utility from any financial obligation,
4 expense, duty, or responsibility otherwise provided by law relative to such property.

5 ***-1513/4.19* SECTION 1723.** 84.09 (9) of the statutes is created to read:

6 84.09 (9) Subsections (5), (5m), and (6) do not apply to state surplus property
7 that is sold under s. 16.848.

8 ***-0774/P4.4* SECTION 1724.** 84.185 (1) (ce) of the statutes is amended to read:

9 84.185 (1) (ce) “Job” has the meaning specified in s. ~~560.60~~ 560.17 (1) (bm).

10 ***-0774/P4.5* SECTION 1725.** 84.185 (1) (cm) of the statutes is amended to read:

11 84.185 (1) (cm) “Political subdivision” ~~has the meaning specified in s. 560.60~~
12 (13) means a county, city, town, or village.

13 ***-1560/3.20* SECTION 1726.** 84.28 (1) of the statutes is amended to read:

14 84.28 (1) Moneys from the appropriation under s. 20.370 (7) ~~(me)~~ (mr) may be
15 expended for the renovation, marking and maintenance of a town or county highway
16 located within the boundaries of any state park, state forest or other property under
17 the jurisdiction of the department of natural resources. Moneys from the
18 appropriation under s. 20.370 (7) ~~(me)~~ (mr) may be expended for the renovation,
19 marking and maintenance of a town or county highway located in the lower Lower
20 Wisconsin state riverway State Riverway as defined in s. 30.40 (15). Outside the
21 lower Lower Wisconsin state riverway State Riverway as defined in s. 30.40 (15), or
22 outside the boundaries of these parks, forests or property, moneys from the
23 appropriation under s. 20.370 (7) ~~(me)~~ (mr) may be expended for the renovation,
24 marking and maintenance of roads which the department of natural resources
25 certifies are utilized by a substantial number of visitors to state parks, state forests

1 or other property under the jurisdiction of the department of natural resources. The
2 department of natural resources shall authorize expenditures under this subsection.
3 The department of natural resources shall rank projects eligible for assistance under
4 a priority system and funding may be restricted to those projects with highest
5 priority.

6 *–1889/2.6* SECTION 1727. 84.555 (1m) of the statutes is amended to read:

7 84.555 (1m) Notwithstanding sub. (1) and ss. 84.51 and 84.59, the proceeds of
8 general obligation bonds issued under s. 20.866 (2) (uum) are allocated for
9 expenditure obligations under s. 84.95 and s. 84.014 and the proceeds of general
10 obligation bonds issued under s. 20.866 (2) (uup) are allocated for expenditure
11 obligations under s. 84.014.

12 *–1084/3.1* SECTION 1728. 84.59 (6) of the statutes is amended to read:

13 84.59 (6) The building commission may contract revenue obligations when it
14 reasonably appears to the building commission that all obligations incurred under
15 this section can be fully paid from moneys received or anticipated and pledged to be
16 received on a timely basis. Except as provided in this subsection, the principal
17 amount of revenue obligations issued under this section may not exceed
18 ~~\$2,095,583,900~~ \$2,516,117,900, excluding any obligations that have been defeased
19 under a cash optimization program administered by the building commission, to be
20 used for transportation facilities under s. 84.01 (28) and major highway projects for
21 the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal
22 amount, the building commission may contract revenue obligations under this
23 section as the building commission determines is desirable to refund outstanding
24 revenue obligations contracted under this section and to pay expenses associated
25 with revenue obligations contracted under this section.